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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/823,622	03/31/2001	Ilan Golecki	050-98-038	6961

128 7590 12/19/2002

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EXAMINER

VALENTINE, DONALD R

ART UNIT	PAPER NUMBER
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1741

DATE MAILED: 12/19/2002

4

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/823,622

Applicant(s)

GOLECKI, ILAN

Examiner

Donald R. Valentine

Art Unit

1741

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 17-19 is/are allowed.
- 6) ☒ Claim(s) 1-16 and 20-23 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2, 3.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_

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5. Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Inoue '787.

Inoue shows the electrical discharge machining of a carbon steel workpiece (carbon containing) with a wire electrode inherently "mechanically and chemically" compatible with the workpiece. See column 3, lines 45-66; column 4, lines 20-27, column 5, lines 55-65, and column 7, lines 12-19.

6. Claim 20 is rejected under 35 U.S.C. 102(b) as being anticipated by Plowman et al

The reference shows a cathode assembly having a carbon composite and includes other structures "body" which are considered to be of a material, which is "mechanically and chemically" compatible with the composite. Fluid flow channels are indicated as being present. (See column 7, lines 5-14).

7. Claims 1-3 are rejected under 35 U.S.C. 102(b) as being anticipated by Inoue '453.

The reference shows the claimed invention. See column 1, lines 40-65 and column 3, lines 5-40. The combination shown in the reference is, inherently, "mechanically and chemically compatible".

8. Claims 1-4, 7, 11 and 20-23 are rejected under 35 U.S.C. 102(b) as being anticipated by Sato et al, applicant's citation.

The reference shows the claimed invention. See col. 3, lines 25-67, and col. 4, lines 30-67; col. 5, lines 35-42 and lines 55-60; col. 6, lines 5-9 and lines 20-30; column 8, lines 1-24. The combination shown in the reference is, inherently, "mechanically and chemically compatible". Figure 14 appears to show applicant's claim 21.

9. Claims 1 and 7 are rejected under 35 U.S.C. 102(b) as being anticipated by O'Connor.  
The reference shows the invention. See col. 5, lines 1-10 and lines 20-52.

***Allowable Subject Matter***

10. Claims 17-19 are allowed.
11. The following is a statement of reasons for the indication of allowable subject matter:  
The references of record do not show or suggest a carbon-carbon workpiece comprising machined features having dimensions between 0.1 mm and 1 mm.

***Conclusion***

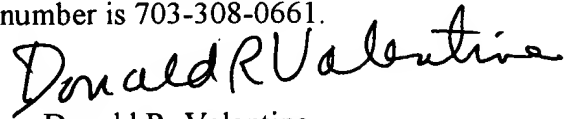
12. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Nicholas et al show a carbon tool.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Donald R. Valentine whose telephone number is 703-308-3327. The examiner can normally be reached on Monday-Friday 9:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nam X Nguyen can be reached on 703-308-3322. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9310 for regular communications and 703-872-9311 for After Final communications.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0661.

A handwritten signature in black ink that reads "Donald R. Valentine". The signature is written in a cursive style with a large, stylized "D" and "V".

Donald R. Valentine  
Primary Examiner  
Art Unit 1741

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December 13, 2002